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**TOWN OF MAGGIE VALLEY
UNIFIED DEVELOPMENT ORDINANCE
CHAPTER ____: SUBDIVISION REGULATIONS**

ARTICLE I – General Provisions

1.1 Short Title

This Chapter shall be known and may be cited as the Subdivision Regulations for the Town of Maggie Valley, North Carolina.

1.2 Purpose

The purpose of this Ordinance is to establish procedures and standards for the development and subdivision of land within the planning jurisdiction of the Town of Maggie Valley. It is further designed to provide for the following:

- Effectively managed growth and development of the Town.
- Coordination of streets, highways, and other public facilities.
- Dedication or reservation of recreation areas serving residents of the immediate neighborhood within subdivisions.
- Rights-of-way or easements for street and utility purposes.
- Distribution of population and traffic in a manner that will avoid congestion and overcrowding and will create conditions essential to public health, safety, and the general welfare.
- Facilitation of adequate provision for water, sewer, and parks.
- Facilitation of the subdivision of larger tracts into smaller parcels of land.

1.3 Authority

This Ordinance is hereby adopted under the authority and provisions of the General Statutes of North Carolina, Chapter 160A, Article 19, Part 2.

1.4 Jurisdiction

The provisions of this Ordinance shall apply throughout the Town of Maggie Valley corporate limits and extraterritorial jurisdiction, as may be modified from time to time.

ARTICLE II– LEGAL PROVISIONS

Section 2.1 Administration

The Town Manager shall appoint the Subdivision Administrator.

Section 2.2 General Legal Provisions

2.2.1 No Conveyance Without Approval.

No real property lying within the planning jurisdiction of the Town of Maggie Valley now or hereafter fixed shall be subdivided until it conforms with all applicable sections of this chapter. Violations of this Article shall be subject to the penalties set forth in this Unified Development Ordinance. Any sale or transfer of land in a subdivision that is subject to these regulations by reference to an unapproved plat or the use of a metes and bounds description shall be considered a violation.

2.2.2 Approval of Plats.

A. No subdivision plat of land within the planning jurisdiction of the Town of Maggie Valley shall be filed or recorded by the Register of Deeds of Haywood County until it shall have been submitted and approved in accordance with this Chapter and until such approval is entered on the face of the Final Plat by the Maggie Valley Planning Director and Chairman of the Planning Board.

B. The county Register of Deeds shall not file or record a plat of a subdivision of land located within the planning jurisdiction of the Town of Maggie Valley that has not been approved in accordance with these provisions, nor shall the Clerk of Court order or direct the recording of a plat if the recording would be in conflict with this Chapter.

C. Plats shall be prepared and approved pursuant to the provisions of this Chapter whenever land is subdivided.

D. A final plat must be prepared and approved, and recorded pursuant to this chapter whenever a subdivision of land occurs. Recording of the Final Plat shall be in accordance with Section 3.7 of this Chapter.

2.2.3 Permits and Construction.

A. No land disturbing or construction activity with the exception of utility testing, engineering testing and surveying is to be carried out within the boundary area of the proposed subdivision until a Preliminary Plat has been approved by the Planning Board.

B. No building permits shall be issued for, nor shall water, sewer, or other facilities or services be extended to or connected with, any subdivision for which a plat is required to be approved until a Final Plat has been approved by the Planning Board of the Town of Maggie Valley.

1 **2.2.4 Statement by Owner**

2
3 The owner of land shown on a subdivision plat submitted for recording, or his/her
4 authorized agent, shall sign a statement on the plat stating whether or not any land
5 shown thereon is within the planning jurisdiction of the Town. See Section 3.7 for this
6 statement
7

8
9 **2.2.5 Dedications**

10
11 A. Pursuant to North Carolina General Statute 160A-374, plat approval shall not be
12 deemed to constitute or affect the Town's acceptance of any street or other land,
13 public utility line, or other public facility shown on the plat. However, the Town Board of
14 Aldermen may, by resolution, accept any dedication of lands or facilities for streets,
15 parks, public utility lines, or other public purposes.
16

17 B. The Town shall accept responsibility to operate, repair, or maintain public sewer
18 lines and public streets. However, the Town shall in no event be held to answer in any
19 civil action or proceeding for failure to open, repair, or maintain land dedicated for
20 other public purposes
21

22
23 **Section 2.3 Compliance with Zoning and Other Plans**

24
25 Proposed subdivisions must comply in all respects with the requirements of the Town
26 of Maggie Valley Unified Development Ordinance, and any other officially adopted
27 plans that apply to the area to be subdivided.
28
29

1
2 **ARTICLE 3: SUBDIVISION TYPES & REVIEW PROCEDURES**
3

4 **Section 3.1 Pre-Application Meeting Required**
5

6 Prior to the commencement of any land disturbance or building activity every
7 subdivision applicant or designated agent is required to meet with the Planning
8 Director or his designee in a pre-application conference. The purpose of this
9 conference is for clarification and assistance in the preparation and submission of
10 subdivision applications and plats for approval. Only after this meeting occurs can a
11 preliminary subdivision plat be submitted.
12

13 **Section 3.2 Subdivision Types Defined**
14

15 **3.2.1 Subdivision Defined**
16

17 A. As used in this Ordinance, the definition of the word “subdivision” is defined in
18 NCGS 160A-376 and means any division of a tract or parcel of land into two (2) or
19 more lots, building sites, or other divisions for the purpose, whether immediate or
20 future, of sale or building development including any divisions of land involving the
21 dedication of a new street or a change in existing streets; provided, that the following
22 shall not be included within the definition or be subject to the regulations prescribed by
23 this Article:
24

- 25 1. The combination or recombination or portions of previously platted lots, where
26 the total number of lots is not increased and the resultant lots are equal to or
27 exceed the standards of the Town as shown by the regulations prescribed by
28 this Article.
29
30 2. The division of land into parcels greater than ten (10) acres, where no street
31 right-of-way dedication is involved
32
33 3. The public acquisition by purchase of strips of land for the widening or opening
34 streets.
35
36 4. The division of a tract in single ownership whose entire area is no greater than
37 two (2) acres into not more than three (3) lots, where no street right-of-way
38 dedication is involved and where the resultant lots are equal to or exceed the
39 standards of the Town.
40
41 5. The division of a tract into parcels in accordance with the terms of a probated will
42 or in accordance with intestate succession under Chapter 29 of the General
43 Statutes.
44

45 B. The Town may require only a final plat for recordation for the division of a tract or
46 parcel of land in single ownership if all of the following criteria are met:
47

- 48 1. The tract or parcel to be divided is not exempted under Section 3.2.1 (A)(2).
49

2. No part of the tract or parcel to be divided has been divided under this subsection in the 10 years prior to division.
3. The entire area of the tract or parcel to be divided is greater than five acres.
4. After division, no more than three lots result from the division.
5. After division, all resultant lots comply with all of the following:
 - a. Any lot dimension size requirements of the applicable land-use regulations.
 - b. The use of the lots is in conformity with all applicable zoning requirements.
 - c. A permanent means of ingress and egress is recorded for each lot.

C. For the recombination of previously subdivided land or for plats that do not meet the definition of a subdivision as set forth in Subsection A, the following shall apply:

1. The Subdivision Administrator shall confirm that the plat does not meet the definition of a subdivision, and that minimum zoning lot sizes and setbacks are met, if applicable.
2. Plats that do not fit the definition of a subdivision shall provide an Exemption Plat Certificate that shall be signed by the Subdivision Administrator prior to recording at the Register of Deeds office.

Certificate for Exemption Plats (for plats that do not fall under the subdivision definition in Section 3.2.1 (A) & NCGS 160A-376)

This plat is exempt from the regulations of the Subdivision Ordinance of the Town of Maggie Valley pursuant to Section 3.2.1 (A) of the Unified Development Ordinance and NCGS 160A-376.

Subdivision Administrator

Date

3.2.2 Family Subdivision:

The division of land into 2 or more parcels or lots for the purpose of conveying the resulting parcels or lots to the grantee or grantees who are in any degree of lineal kinship to the grantor, or to a grantee or grantees who are within 3 degrees of collateral kinship to the grantor, such to be referred to herein as a "family subdivision." Degrees of kinship shall be computed in accordance with G.S. 104A. The grantor must prove lineage within 3 degrees of the grantee by proof of birth certificate by both the grantor and the grantee and/or grantee will sign affidavit of proof that the subdivision is strictly a family subdivision and not for commercial sale or use.

3.2.3 Minor Subdivisions:

A Minor Subdivision is a subdivision of land with:

- No new street construction; or
- No right-of-way dedication; or
- No utility extension and utility easement dedication; or
- Four (4) or fewer lots result after the subdivision is completed.

3.2.4 Major Subdivision:

A Major Subdivision is a subdivision of land with:

- More than 4 lots; or
- New street construction; or
- New right-of-way dedication; or
- New utility extension or utility easement dedication.

3.2.5 Cluster Subdivision:

A. Cluster subdivisions shall be permitted in the _____ Zoning Districts

B. A cluster subdivision shall be defined as a residential subdivision that divides land into not more than the number of lots permissible in a conventional subdivision of the same property in the same zoning district but where the minimum lot area is waived. All residential cluster subdivisions must be approved by the Planning Board. Approval shall be based upon the satisfactory accomplishment of the following goals:

- To make efficient and visually aesthetic use of the natural features of the landscape;
- To maximize visualization of permanently preserved open space;
- To preserve natural vegetation and ecosystems;
- To provide recreation areas;
- To provide scenic vistas; and
- To create diversity and originality in subdivision design, meaning lots, streets and parking areas of non-uniform size, shape, or arrangement

Section 3.3 Minor and Family Subdivision Review

3.3.1 Submittal Requirements

A. For all minor subdivisions and family subdivisions, the subdivider shall submit 1 copy (or more if requested) of the plat containing all required information to the Planning and Development Director.

B. At the time of submission, the subdivider shall pay the appropriate fee.

C. The plat shall contain all information required for a final plat as found in Section 3.7

3.3.2 Review Procedures

A. The Planning and Development Director or their designee shall review the plat for compliance with this Chapter and all other applicable regulations of the Town, to assure that adequate public utilities and services are available, and shall complete the review within 14 days.

B. If all applicable provisions of this and other Chapters of the Unified Development Ordinance are met, the Planning and Development Director shall approve the plat as a Final Plat.

C. If all applicable provisions are not met, the plat shall be returned to the applicant with deficiencies noted.

3.3.3 Approval

If the Final Plat for a Minor or Family Subdivision is approved, the original tracing and one (1) print shall be retained by the subdivider and one (1) print shall be filed with the Town Clerk.

Section 3.4 Master Plans for Phased Development

If a developer proposes that a subdivision will be constructed in phases, the following procedure shall apply:

A. A master plan showing the entire proposed subdivision and the phases of development, proposed density, proposed type and location of utilities, and proposed development timetable shall be submitted to the Planning and Development Director for approval by the Planning Board.

B. Each phase of the development shall be preceded by submission and approval of a preliminary plat. The master plan may be submitted prior to or simultaneously with submission of the preliminary plat for the first phase of development.

C. As each phase is completed, a final plat must be submitted and approved for that phase.

D. Approval of the master plan need not be renewed

Section 3.5 Preliminary Plats for Major Subdivisions

3.5.1 Preliminary Plat Submittal Requirements

A. The Planning and Development Director shall receive one (1) copy of the Preliminary Plat for initial review.

B. Once Preliminary Plat completeness is confirmed then the subdivider shall submit eight (8) copies of the Preliminary Plat, with all recommended changes included, for individual distribution to Planning Board members no less than fifteen (15) days prior to the regular meeting of the Planning Board.

1 C. The submission shall also include:

- 2
3 1) Complete Preliminary Plat Application Checklist (Section _____)
4 2) Preliminary Plat Review Fee.
5

6 D. The Preliminary Plat shall be clearly and legibly drawn at a scale of 1:100 and/or at
7 another scale acceptable to the Planning and Development Director. A registered land
8 surveyor currently licensed and registered in the State of North Carolina by the North
9 Carolina Board of Registration for Professional Engineers and Land Surveyors, shall
10 prepare the preliminary plat, and it shall contain the following information:
11

12 1) Title Block:

13 Subdivision name, subdivider's name and address, North Arrow, scale (min. 1"-100')
14 denoted graphically and numerically, date of plat preparation, and township, county,
15 and state in which subdivision is located, Deed Book Reference;
16

17 2) Vicinity Map:

18 A sketch vicinity map showing the location of the subdivision in relation to the
19 surrounding area;
20

21 3) Tract Boundaries:

22 The boundaries of the tract or portion thereof to be subdivided, with all bearings and
23 distances shown;
24

25 4) Lot and Street Lines:

26 All proposed lot and street right-of-way lines with approximate dimensions, lot and
27 block numbers, all easements; designation of any dedication or reservations to be
28 made, a notation of building setback lines', and proposed use of land if other than
29 single family residences;
30

31 5) Site Data:

32 Total acreage in tract to be subdivided; proposed smallest lot size; proposed total
33 number of lots; lineal feet in street, zoning district.
34

35 6) Existing Features:

36 Existing features including buildings, streets, power lines, drainage ways, sewer and
37 water lines, utility easements, and City limit lines both on or adjacent to the land to be
38 subdivided;
39

40 7) Natural Features:

41 Significant natural features including wooded areas, marshes, major rock outcrops,
42 ponds or streams, or other natural features affecting the site, or if area is in a special
43 flood hazard area
44

45 8) Other Improvements:

46 Proposed location and description of any other improvements including, but not limited
47 to, riding trails, sidewalks, or pedestrian ways, reserved open space or recreational
48 facilities, commercial areas, or buffer strips;
49
50
51

1 9) Water and Sewer Availability:
2 Approval Letters from Town of Maggie Valley Sewer System and Maggie Valley
3 Sanitary District (water) stating that the utility can provide access and capacity to meet
4 the demands of the proposed subdivision.

5
6 10) For Cluster Subdivisions, the term "Cluster Subdivision" shall be placed in the title
7 block.
8
9

10 **3.5.2 Preliminary Plat Review Procedures**

11
12 A. Within seven (7) days of receipt of the initial Preliminary Plat application, the
13 Planning and Development Director shall review the application and plat for
14 completeness and compliance with all articles of this Chapter. The Planning Director
15 may request reports from other Town, county, state, or federal agencies concerned
16 with new development, as deemed necessary. The subdivider will be contacted after
17 this initial review is complete so that any necessary changes to the plat can be made
18 before reaching the Planning Board.
19

20 B. The Planning Board shall consider the Preliminary Plat during its next regularly
21 scheduled meeting. The Planning Board shall take action within thirty-five (35) days of
22 receiving the Preliminary Plat. If the Planning Board fails to take official action on the
23 submitted Preliminary Plat then the Town Board of Aldermen may do so at their next
24 regularly scheduled meeting. The Town Board of Aldermen will use the same approval
25 criteria as the Planning Board. The Planning Board shall achieve a majority vote on
26 one (1) of the following actions regarding the Preliminary Plat:
27

- 28 ▪ Approval of the Preliminary Plat as submitted,
- 29 ▪ Approval of the Preliminary Plat with conditions, or
- 30 ▪ Denial of the Preliminary Plat as submitted.

31
32 C. If the Planning Board recommends denial, the applicant may resubmit a revised
33 Preliminary Plat in accordance with the provisions set forth in this Chapter.
34

35 **3.5.3 Preliminary Plat Approval**

36
37 Approval of the Preliminary Plat shall be valid for one year unless a written extension
38 is granted by the Planning Board on or before the one year anniversary of the
39 approval. If the final plat is not submitted for approval within the one year period or
40 any period of extension, then the approval of the preliminary plat shall be void.
41
42

43 **3.6 Construction Plans and Improvement Guarantee Procedures**

44 **3.6.1 Submission and Review of Construction Plans**

45
46
47 A. Upon approval of the Preliminary Plat by the Planning Board, the subdivider shall
48 submit a Construction Plan application to the Planning and Development Director. The
49 Planning and Development Director will review the Construction Plan application for
50 completeness and compliance with all articles of this Chapter. The maximum review
51 time for construction plans is 35 days, except as allowed in Subsection C, below.

1
2 B. The submission shall include:

3
4 1) Complete Construction Plan Application and Checklist.

5
6 2) A complete set of engineered drawings necessary for final permitting and
7 construction. All streets, utilities, drainage, and other infrastructure systems
8 shall be designed and constructed in accordance with the Town's Design
9 Standards and specifications.

10
11 C. The Planning Director may refer copies of the plans and any accompanying
12 material to those public agencies concerned with new development, provided that the
13 Planning Director may extend the 35-day review period if the required information
14 deemed necessary for a thorough review of the plans has not been received within 35
15 days.

16
17 **3.6.2 Begin Construction.**

18
19 Once the Construction Plans have been approved, the subdivider may begin the
20 construction of required improvements. Improvements must be installed and approved
21 or guaranteed in accordance with this Section prior to Final Plat approval.

22
23 **3.6.3 Improvement Guarantees.**

24
25 A. In lieu of completion of required improvements prior to approval of a final plat, the
26 subdivider may post a performance guarantee in an amount sufficient to secure to the
27 town the satisfactory installation of improvements.

28
29 B. The performance guarantee may be in the form of one of the following methods.
30 Such guarantees shall be in an amount of not less than one hundred twenty-five (125)
31 percent of the approved estimated cost of the construction of the required
32 improvements.

33
34 1) Irrevocable letter of credit from an insured financial institution

35
36 A satisfactory, irrevocable letter of credit as approved by the Town Manager
37 and deposited with the Town Clerk shall be submitted. When a letter of credit is
38 submitted, the following information shall be contained in the letter:

39
40 a. Shall be entitled "Irrevocable Letter of Credit";

41
42 b. Shall indicate that the Town of Maggie Valley is the sole beneficiary;

43
44 c. The amount as approved by the town;

45
46 d. Account number and/or credit number that drafts may be drawn on;

47
48 e. List of improvements that shall be built that the letter is guaranteeing;

49
50 f. Terms in which the Town of Maggie Valley may make drafts on the account;
51 and

1 g. Expiration date of the letter.

2 2) Performance or surety bond executed

3 The subdivider shall obtain a performance bond(s) from a surety bonding
4 company authorized to do business in North Carolina.

6 3) Certified check

7 The subdivider shall deposit a bank certified check drawn in the favor of the
8 Town of Maggie Valley.

10 **3.6.4 Improvement Guarantee Procedures.**

12 A. Where performance guarantees are used in lieu of the completion of
13 improvements, and prior to submission of a final plat to the Planning Board, the
14 subdivider must provide specifications, quantities, unit costs, and a total cost
15 estimate, along with an estimated date for the completion of improvements. The
16 Public Works Director, or other appropriate official, shall review the above
17 information from the subdivider for reasonableness as to cost and time
18 estimates.

20 B. The Town Public Works Director may affirm or modify the subdividers cost and
21 time estimates and make a recommendation to the Town Manager as to the
22 amount of the performance guarantee and the time limit for completion.

24 C. Based on the Public Works Director's recommendation, the Town Manager
25 shall set the amount and terms of the performance guarantee as necessary to
26 insure that the interests of the Town of Maggie Valley are fully protected. Such
27 guarantees shall be in an amount of not less than one hundred twenty-five
28 (125) percent of the approved estimated cost of the construction of the required
29 improvements.

31 D. The Town Manager may release a portion of any security posted as the
32 improvements are completed and recommended for approval by the Public
33 Works Director. When work required under the terms of the performance
34 guarantee is not completed by the subdivider, the Town Manager shall inform
35 the Town Board of Aldermen, at its next regularly scheduled meeting. The Town
36 manager shall recommend to the Board of Aldermen such action, as is
37 appropriate in the circumstances of the case to procure the completion of the
38 required improvements, including call of the guarantee.

Section 3.7 Final Plats for Major Subdivisions

3.7.1 Final Plat Submittal Requirements

A. The Planning and Development Director shall receive one (1) copy of the Final Plat. Once Final Plat completeness is confirmed, then the subdivider shall submit eight (8) copies of the Final Plat, with all recommended changes included, for individual distribution to Planning Board members no less than fifteen (15) days prior to the regular meeting of the Planning Board.

B. The submission shall also include the Subdivision Review Fee.

C. The original of the final plat shall be at a scale of 1:100, or at another scale acceptable to the Planning and Development Director, on a sheet of a size and material that will be acceptable to the Register of Deeds of Haywood County. The plat shall conform substantially to the construction plans as approved and display all of the contents required in this Section. The plat shall conform to the provisions of the G.S. § 47-30, as amended. The final plat shall be prepared by a registered land surveyor currently licensed and registered with the State of North Carolina by the North Carolina Board of Registration for Professional Engineers and Land Surveyors and shall show the following information:

(1) Subdivision name, north arrow, scale denoted graphically and numerically, date of plat preparation and revision dates (if any) since construction plat, and township, county and state in which the subdivision is located; and the name(s) of the owner(s) and the surveyor including the seal(s) and registration number(s));

(2) The exact boundary lines of the tract to be subdivided fully dimensioned by length and bearings, and the location of intersecting boundary lines of adjoining lands;

(3) The names and deed references of owners of adjoining properties and adjoining subdivisions of record including those proposed or under review;

(4) All visible and apparent rights-of-way, watercourses, applicable buffers, minimum building setback lines, utilities, roadways, and other such improvements shall be accurately located (including dimensions) within the property, where crossing, or forming any boundary line of the property shown;

(5) Sufficient engineering data to determine readily and reproduce on the ground every straight or curved boundary line, street line, lot line, right-of-way line, easement line, and minimum building setback line, including dimensions, bearings or deflection angles, radii, central angles, and tangent distances for the centerline of curved streets and curved property lines that are not the boundary of curved streets;

(6) The accurate installation, location, and description of permanent monument markers at the control points on the boundary of the property;

(7) Survey pins placed in all corners;

(8) The blocks numbered sequentially throughout the entire subdivision and the lots numbered consecutively throughout each block;

1 (9) Street names and right-of-way lines of all streets, and the location and width of
2 all adjacent streets and easements;

3 (10) For Cluster Subdivisions, the term "Cluster Subdivision" shall be placed in the
4 title block; and

5 (11) Forms for final certifications. Where applicable, the following certificates shall
6 be lettered or rubber-stamped on the final plat in such a manner as to ensure that the
7 certificates would be legible on any prints made therefrom. Prior to final plat approval,
8 the appropriate person shall sign the following certificates:
9

10
11 (i) **Certificate of ownership.**
12

<u>Certificate of Ownership</u>	
I (we) hereby certify that I am (we are) the owner(s) of that property shown and described hereon, and that I (we) hereby adopt this plan of subdivision with my(our) free consent, establish minimum building lines and minimum standards for all streets, sewers, water lines, alleys, walks, parks, and other sites. Further, I (we) certify the land as shown hereon is within the platting jurisdiction of the Town of Maggie Valley, North Carolina.	

Date	Owner

	Owner

Date	Notary

13
14 (ii) **Certificate of accuracy.**

<u>Certificate of Accuracy</u>	
(As required under G.S. § 47-30, as amended.)	

Date	Registered Surveyor

15
16 (iii) **Certification of approval of the installation and construction of streets, utilities,**
17 **and other required improvements.**

<u>Certification of Approval of the Installation and Construction of Streets, Utilities, and Other Required Improvements</u>	
I hereby certify that streets, utilities, and other required improvements have been installed, or that a guarantee of such installation has been arranged as authorized in the Code of Maggie Valley, North Carolina, § __in accordance with the preliminary plat approved by the Planning Board, and according to town specifications and standards in the subdivision entitled.	

Date	Planning and Development Director

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(iv) Planning Director Signature

Certificate of Approval
I certify that the final plat shown hereon complies with the Maggie Valley subdivision regulations and is approved for recording in the Haywood County Register of Deeds office.

Town of Maggie Valley , Planning and Development Director

(v) Planning Board Chairman Signature

Certificate of Approval
I certify that the final plat shown hereon complies with the Maggie Valley subdivision regulations and is approved by the Planning Board for recording in the Haywood County Register of Deeds office.

Date Chairperson, Town of Maggie Valley Planning Board

- (vi) Watershed Statement (where applicable):**
The following statement shall appear on the plat where applicable: “THIS SUBDIVISION IS LOCATED IN A WATER SUPPLY WATERSHED; DEVELOPMENT RESTRICTIONS MAY APPLY.”
- (vii) Cluster Subdivision Open Space Statement (where applicable):**
All areas reserved as open space and shall bear the following notation...
“This area is reserved as permanent open space pursuant to the authority of the Town of Maggie Valley. Further subdivision, development, or land disturbing activity is prohibited in this area.”
- (viii) Other Applicable Statements:**
Considering that all subdivisions are different other required statements may become necessary on a case by case basis. The Planning Board will notify the applicant of any additional statements requirement before issuing construction plat approval.

3.7.2 Final Plat Review Procedures for Major Subdivisions

A. No final plat for a major subdivision shall be considered unless it has been preceded by a preliminary plat approved by the Planning Board. The final plat shall constitute only that portion which the subdivider proposes to record and develop at the time of submission.

B. No final plat shall be considered unless and until the subdivider shall have installed in that area represented on the final plat, all improvements required by this chapter as specified in the approved construction plans, or financial guarantees of the improvements have been arranged in accordance with Section 3.6.3.

C. Upon receipt of the final plat meeting the requirements of Section 3.7.1, the Planning and Development Director shall review for compliance with this chapter and other relevant ordinances and regulations of the town.

D. The plat shall be accompanied by written approval from the appropriate agencies that all streets and water and sewer utilities have been installed in accordance with all required specifications, unless a guarantee of the installations has been arranged in accordance with Section 3.6.3. Upon receipt of the written approvals, the Planning and Development Director shall sign the "Certificate of Approval of the Installation and Construction of Streets, Utilities, and Other Required Improvements" as required in division (iii) above.

E. The Planning and Development Director shall meet with any person or agency deemed necessary for adequate review of the plat and shall complete the review within fourteen (14) days after submittal. If all applicable requirements of this chapter are met, the Planning and Development Director shall approve the plat and submit it to the Planning Board. If all applicable requirements of this chapter are not met, the Planning and Development Director shall disapprove the plat and return it to the applicant with deficiencies noted.

F. Upon approval by the Planning and Development Director, the final plat shall be submitted to the Planning Board. First consideration shall be at the next regularly scheduled meeting that follows at least seven (7) days after submission. The Planning Board shall make a determination of approval or disapproval of the final plat at its first consideration or at any regular or special meeting within thirty-five (35) days of the plat's first consideration. The Board may extend the review period if it deems necessary in order to obtain additional information necessary for a thorough review of the plat.

G. The Planning Board shall submit its findings to the Board of Aldermen.

3.7.3 Approval and Recording of the Final Plat for Major Subdivisions

A. If the final plat is approved by the Planning Board, the original tracing and one (1) print shall be retained by the subdivider, and one (1) print shall be filed with the Town.

B. After approval, the appropriate certificates shall be signed by the Planning Director and Planning Board Chairman on the final plat in such a manner as to ensure that the certificate will be legible on any prints made therefrom.

C. Within sixty (60) days after the final plat has been approved, it shall have been recorded with the Register of Deeds of Haywood County. Should the sixty (60) day time limit expire before the plat is recorded, it must be resubmitted in accordance with the provisions of this chapter. Upon adoption of this Ordinance, the Register of Deeds of Haywood County shall not thereafter file or record a plat of a subdivision located within the Town of Maggie Valley until the plat has been approved as provided herein. Without the proper approval, the filing or recording of a subdivision plat shall be void.

